



General Assembly

February Session, 2008

Raised Bill No. 5324

LCO No. 1400

01400_____PRI

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY OF
REGIONAL PLANNING ORGANIZATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-124i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 As used in sections 4-124i to 4-124p, inclusive:

4 [(a)] (1) "Planning region" means a planning region of the state as
5 defined or redefined by the Secretary of the Office of Policy and
6 Management, or his designee under the provisions of section 16a-4a;

7 [(b)] (2) "Regional council of elected officials" means any regional
8 council of elected officials organized under the provisions of this
9 chapter;

10 [(c)] (3) "Regional planning agency" means any regional planning
11 agency organized under the provisions of chapter 127;

12 [(d)] (4) "Chief elected official" means the highest ranking elected

13 governmental official of any town, city or borough within the state;

14 [(e)] (5) "Elected official" means any selectman, mayor, alderman, or
15 member of a common council or other similar legislative body of any
16 town or city, or warden or burgess of any borough;

17 [(f)] (6) "Council" means a regional council of governments
18 organized under the provisions of sections 4-124i to 4-124p, inclusive;

19 [(g)] (7) "Member" means any town, city or borough within a
20 planning region of the state having become a member of a regional
21 council of governments in accordance with said sections;

22 (8) "Regional planning organization" means a regional council of
23 governments organized under the provisions of sections 4-124i to 4-
24 124p, inclusive, a regional council of elected officials organized under
25 the provisions of section 4-124c to 4-124h, inclusive, or a regional
26 planning agency organized under the provisions of chapter 127.

27 Sec. 2. Subsection (b) of section 23-102 of the general statutes is
28 repealed and the following is substituted in lieu thereof (*Effective*
29 *October 1, 2008*):

30 (b) The duties of the council shall be: (1) To advise and assist in the
31 coordination of state agencies, municipalities, regional planning
32 organizations, as defined in section 4-124i, as amended by this act, and
33 private citizens in voluntarily planning and implementing a system of
34 greenways; (2) to operate a greenways help center to advise state
35 agencies, municipalities, regional planning organizations, as defined in
36 section 4-124i, as amended by this act, and private citizens in the
37 technical aspects of planning, designing and implementing greenways,
38 including advice on securing state, federal and nongovernmental
39 grants; (3) to establish criteria for designation of greenways; (4) to
40 maintain an inventory of greenways in the state which shall include
41 the location of greenways transportation projects which have received
42 grants under sections 23-101, 32-6a, 32-9qq and 32-328; (5) to advise the

43 Commissioner of Economic and Community Development on the
44 distribution of grants for greenways transportation projects pursuant
45 to sections 32-6a, 32-9qq and 32-328; and (6) to advise the
46 Commissioner of Environmental Protection on the distribution of
47 grants pursuant to section 23-101.

48 Sec. 3. Subsection (d) of section 25-204 of the 2008 supplement to the
49 general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective October 1, 2008*):

51 (d) Upon completion of an inventory, statement of objectives and
52 map pursuant to subsections (a), (b) and (c) of this section, the river
53 committee shall publish in a newspaper having substantial circulation
54 in the affected area at least thirty days' notice of a public hearing to be
55 held in one of the municipalities represented on the committee. Such
56 hearing shall provide an opportunity for public comment regarding
57 such documents and the committee shall also provide for the
58 submission of written comments to such committee regarding such
59 documents. After considering all comments received, the river
60 committee shall revise said documents as appropriate and submit
61 them to the commissioner and the secretary. Within ninety days of
62 receiving the revised documents, the commissioner shall provide
63 written comments to the river committee and shall furnish a copy of
64 such comments to the secretary. The secretary shall coordinate a
65 review of the revised documents by all other relevant state agencies
66 and regional planning organizations, [established pursuant to section
67 8-31a] as defined in section 4-124i, as amended by this act, and, within
68 ninety days of receiving such revised documents, shall provide written
69 comments thereon to the river committee and shall furnish a copy of
70 such comments to the commissioner. After considering all comments
71 received from the commissioner and the secretary, the river committee
72 shall adopt an inventory, statement of objectives and map and shall
73 publish, in a newspaper having substantial circulation in the affected
74 area, notice of the adoption of the inventory, statement of objectives
75 and map.

76 Sec. 4. Subsection (f) of section 25-204 of the 2008 supplement to the
77 general statutes is repealed and the following is substituted in lieu
78 thereof (*Effective October 1, 2008*):

79 (f) (1) After adoption of an inventory, statement of objectives and
80 map pursuant to subsection (d) of this section, the river committee
81 shall prepare a river corridor protection plan. The river committee
82 shall publish in a newspaper having a substantial circulation in the
83 affected area at least thirty days' notice of a public hearing to be held in
84 one of the municipalities represented on the committee. Such hearing
85 shall provide an opportunity for public comment regarding the plan
86 and the committee shall also provide for the submission of written
87 comments on the plan. The committee shall send a copy of such notice
88 to the chief elected official of each municipality located wholly or
89 partially in the subregional drainage basin in which the subject river
90 corridor is located and shall send such notice by certified mail, return
91 receipt requested, to each person who owns property adjacent to the
92 river segment which is the subject of the river corridor proposed for
93 designation under section 25-205. After considering all comments
94 received, the river committee shall revise said documents as
95 appropriate and submit them to the commissioner and the secretary.
96 Within ninety days of receiving the revised documents, the
97 commissioner shall provide written comments to the river committee
98 and shall furnish a copy of such comments to the secretary. The
99 secretary shall coordinate a review of the revised documents by all
100 other relevant state agencies and regional planning organizations,
101 [established pursuant to section 8-31a] as defined in section 4-124i, as
102 amended by this act, and within ninety days of receiving such
103 documents shall provide written comments thereon to the river
104 commission and shall furnish a copy of such comments to the
105 commissioner. After considering all comments received from the
106 commissioner and the secretary, the river committee shall revise the
107 river corridor protection plan as appropriate and shall publish in a
108 newspaper having a substantial circulation in the affected area notice
109 of the availability of the response to comments and the revised plan.

110 (2) A river corridor protection plan shall set forth a strategy for
111 achieving the protection and preservation objectives contained in the
112 statement of objectives adopted pursuant to subsection (d) of this
113 section and for reconciling existing incompatible uses with resource
114 preservation. Such plan shall make recommendations for the
115 modification of municipal plans of conservation and development and
116 zoning, subdivision, site plan and wetlands regulations as necessary to
117 allow implementation of the river corridor protection plan and to
118 assure that each member municipality similarly preserves that portion
119 of the river corridor under its jurisdiction. Such plan shall recommend
120 that applicable municipal regulations be modified to prohibit mining,
121 moving of earth and dredging, other than dredging to maintain
122 existing uses, within the river corridor. Such plan may set out
123 guidelines for disturbing vegetation within the river corridor and
124 identify areas where clear-cutting should be prohibited; may
125 recommend municipal adoption of programs to minimize pollution or
126 development of the river corridor and maximize voluntary private
127 preservation efforts; shall consider land and water uses which may be
128 compatible with river protection, including hydropower, agriculture,
129 recreation and waste discharges and may recommend appropriate
130 revisions of any state or regional plans of development or municipal
131 plans of conservation and development or open space plans. Such plan
132 shall include a time schedule for state and municipal implementation
133 of such regulatory modifications and programs.

134 (3) A river corridor protection plan shall include the results of an
135 instream flow study if the commissioner deems it necessary. An
136 instream flow study shall be conducted in accordance with the
137 commissioner's guidance and shall document water flow in the river
138 corridor for the purpose of determining whether there is sufficient
139 flow to allow withdrawals of water consistent with the resource
140 protection and preservation objectives of the river corridor protection
141 plan.

142 Sec. 5. Subsections (d) to (f), inclusive, of section 25-234 of the 2008

143 supplement to the general statutes are repealed and the following is
144 substituted in lieu thereof (*Effective October 1, 2008*):

145 (d) Upon completion of an inventory, statement of objectives and
146 map pursuant to subsections (a), (b) and (c) of this section, the river
147 commission shall publish in a newspaper having a substantial
148 circulation in the affected area notice of a public hearing to be held not
149 less than thirty days thereafter in one of the municipalities represented
150 on the commission. Such hearing shall provide an opportunity for oral
151 and written comments regarding such documents. After considering
152 all comments received, the river commission shall revise said
153 documents as appropriate and submit them to the commissioner and
154 the secretary. Within sixty days of receiving the revised documents,
155 the commissioner shall provide written comments to the river
156 commission and shall furnish a copy of such comments to the
157 secretary. The secretary shall coordinate a review of the revised
158 documents by all other relevant state agencies and regional planning
159 organizations, [established pursuant to section 8-31a] as defined in
160 section 4-124i, as amended by this act, and, within ninety days of
161 receiving such revised documents, shall provide written comments
162 thereon to the river commission and shall furnish a copy of such
163 comments to the commissioner. After considering all comments
164 received from the commissioner and the secretary, the river
165 commission shall adopt a final inventory, statement of objectives and
166 map and shall publish, in a newspaper having a substantial circulation
167 in the affected area, notice of the adoption of the final inventory,
168 statement of objectives and map.

169 (e) After adoption of an inventory, statement of objectives and map,
170 pursuant to subsection (d) of this section, the river commission shall
171 prepare a report on all federal, state, regional and municipal laws,
172 plans, programs and proposed activities which may affect the river
173 corridor defined in such map. Such federal, state, regional and
174 municipal laws shall include regulations adopted pursuant to chapter
175 440, and zoning, subdivision and site plan regulations adopted

176 pursuant to section 8-3. Such federal, state, regional and municipal
177 plans shall include plans of development adopted pursuant to section
178 8-23 of the 2008 supplement to the general statutes, as amended by this
179 act, the state plan for conservation and development, water utility
180 supply plans submitted pursuant to section 25-32d, coordinated water
181 system plans submitted pursuant to section 25-33h, the master
182 transportation plan adopted pursuant to section 13b-15, plans
183 prepared by regional planning organizations, [pursuant to section 8-
184 31a] as defined in section 4-124i, as amended by this act, and plans of
185 publicly-owned wastewater treatment facilities whose discharges may
186 affect the subject river corridor. State and regional agencies shall,
187 within available resources, assist the river commission in identifying
188 such laws, plans, programs and proposed activities. The report to be
189 prepared pursuant to this section shall identify any conflicts between
190 such federal, state, regional and municipal laws, plans, programs and
191 proposed activities and the river commission's objectives for river
192 corridor management as reflected in the statement of objectives. If
193 conflicts are identified, the river commission shall notify the applicable
194 state, regional or municipal agencies and such agencies shall, within
195 available resources and in consultation with the river commission,
196 attempt to resolve such conflicts.

197 (f) (1) After adoption of an inventory, statement of objectives and
198 map pursuant to subsection (d) of this section and completion of a
199 report pursuant to subsection (e) of this section, the river commission
200 shall prepare a river corridor management plan. The river commission
201 shall publish in a newspaper having a substantial circulation in the
202 affected area notice of a public hearing to be held not less than thirty
203 days thereafter in one of the municipalities represented on the
204 commission. Such hearing shall provide an opportunity for oral and
205 written comment regarding the plan. The commission shall send a
206 copy of such notice to the chief elected official of each municipality
207 located wholly or partially in the subregional drainage basin in which
208 the subject river corridor is located and shall send such notice by
209 certified mail, return receipt requested, to each person who owns

210 property adjacent to the river segment which is the subject of the river
211 corridor. After considering all comments received, the river
212 commission shall revise said documents as appropriate and submit
213 them to the commissioner and the secretary. Within sixty days of
214 receiving the revised documents, the commissioner shall provide
215 written comments to the river commission and shall furnish a copy of
216 such comments to the secretary. The secretary shall coordinate a
217 review of the revised documents by all relevant state agencies and
218 regional planning organizations, [established pursuant to section 8-
219 31a] as defined in section 4-124i, as amended by section this act. Within
220 ninety days of the date the secretary receives such revised documents,
221 he shall provide written comments thereon to the river commission
222 and to the commissioner. After considering all comments received
223 from the commissioner and the secretary, the river commission shall
224 prepare a document responding to all comments received, shall revise
225 the river corridor management plan as appropriate and shall publish
226 in a newspaper having a substantial circulation in the affected area
227 notice of the availability of the response to comments and the revised
228 plan.

229 (2) A river corridor management plan shall set forth a strategy for
230 achieving the objectives contained in the statement of objectives
231 adopted pursuant to subsection (d) of this section for the river corridor
232 mapped pursuant to said subsection and for resolving any conflicts
233 identified in the report prepared pursuant to subsection (e) of this
234 section. Such plan shall make recommendations for the modification of
235 municipal plans of development and zoning, subdivision, site plan and
236 wetlands regulations as necessary to allow implementation of such
237 plan and to assure that each member municipality similarly manages
238 that portion of the river corridor under its jurisdiction. Such
239 recommendations may concern tourism, navigation, utility and
240 transportation rights-of-way and water-dependent recreational,
241 industrial, commercial and other uses, as well as proposals for specific
242 setbacks from the river, dimensions of new lots and buildings,
243 restrictions on cutting of vegetation, restrictions on earth-moving for

244 mining or other purposes, prohibited activities and regulation of
245 paving and other forms of impervious ground cover. Such plan may
246 also include recommendations that member municipalities enact or
247 adopt incentives for property owners to protect lands within the river
248 corridor and to develop such lands in a manner that is compatible with
249 resource protection. Such incentives may include tax credits for
250 donation to appropriate parties of open space easements or land
251 development rights and incentives for cluster development.

252 (3) The river corridor management plan shall include the results of
253 an instream flow study if the commissioner deems it necessary. An
254 instream flow study shall be conducted in accordance with the
255 commissioner's guidance and shall document water flow in the river
256 corridor for the purpose of determining whether there is sufficient
257 flow to allow withdrawals of water consistent with the resource
258 protection and enhancement objectives of the river corridor
259 management plan.

260 Sec. 6. Section 4-124h of the general statutes is repealed and the
261 following is substituted in lieu thereof (*Effective October 1, 2008*):

262 Wherever a regional council of elected officials exists in a region
263 where there is no regional planning agency [, such] or regional council
264 of governments, the regional council of elected officials may exercise
265 all the powers of a regional planning agency [as defined in] organized
266 under chapter 127 of the general statutes, as amended, or a regional
267 council of governments organized under the provisions of sections 4-
268 124i to 4-124p, inclusive, as amended by this act.

269 Sec. 7. Section 8-33a of the general statutes is repealed and the
270 following is substituted in lieu thereof (*Effective October 1, 2008*):

271 The regional planning agency shall annually elect from among its
272 members a chairman, a treasurer, who shall be bonded, and such other
273 officers as the agency determines. Bylaws shall be adopted by the
274 agency. Such bylaws shall include provisions for quarterly meetings

275 on regional issues with the chief elected officials of the towns, cities or
276 boroughs that are members of the regional planning agency. All
277 meetings of the agency shall be held at the call of the chairman and at
278 such other times as the agency determines. The treasurer shall receive
279 all funds and moneys of the agency and shall pay out the same only in
280 accordance with the bylaws and within limits of such receipts. The
281 agency shall keep minutes of all its meetings and official actions, which
282 minutes shall be filed in the office of the agency and shall be a public
283 record. Each regional planning agency shall file an annual report with
284 the chief executive officers, town, city or borough clerks, as the case
285 may be, and planning commissions, if any, of member towns, cities or
286 boroughs, and with the Secretary of the Office of Policy and
287 Management, or his designee.

288 Sec. 8. (NEW) (*Effective October 1, 2008*) (a) As used in this section:

289 (1) "Planning region" means a planning region of the state as
290 defined or redefined by the Secretary of the Office of Policy and
291 Management, or the designee of the secretary, under the provisions of
292 section 16a-4a of the general statutes, as amended by this act;

293 (2) "Project of regional significance" means a project that (A) is
294 located in a municipality in a regional planning area and such project
295 impacts other municipalities in such regional planning area or that is
296 located in a municipality in a regional planning area that is contiguous
297 to a municipality in another regional planning area, and (B) meets the
298 criteria for a project of regional significance, as specified in regulations
299 adopted by the Secretary of the Office of Policy and Management
300 under subsection (c) of this section; and

301 (3) "Regional planning organization" means a regional planning
302 organization as defined in section 4-124i, of the general statutes, as
303 amended by this act.

304 (b) Whenever a petition, application or request for a project of
305 regional significance is submitted to a zoning commission or planning

306 commission under chapter 124 of the general statutes, such zoning
307 commission or planning and zoning commission shall give written
308 notice of such petition, application or request, not more than thirty
309 days before such hearing, to the regional planning organization
310 operating in the region within which the municipality is located and to
311 any other regional planning organization where there is a municipality
312 contiguous to the municipality in which the project is located. The
313 regional planning organization shall study such proposal and shall
314 report its findings and recommendations thereon to the zoning
315 commission or planning and zoning commission at or before the
316 hearing. The report shall analyze the compliance of the project with the
317 regional plan of conservation and development and other issues the
318 regional planning organization deems critical to the analysis. The
319 report shall be made a part of the record of such hearing. If such report
320 of the regional organization is not submitted at or before the hearing, it
321 shall be presumed that such organization does not disapprove of the
322 proposal.

323 (c) The Secretary of the Office of Policy and Management, in
324 consultation with the Interagency Steering Council established
325 pursuant to Executive Order No. 15, shall adopt regulations in
326 accordance with the provisions of chapter 54 of the general statutes,
327 establishing criteria to define projects of regional significance. In
328 establishing such criteria, the secretary shall take into consideration
329 factors including, but not limited to, location, type and size of the
330 project.

331 Sec. 9. Subsection (a) of section 8-7d of the 2008 supplement to the
332 general statutes is repealed and the following is substituted in lieu
333 thereof (*Effective October 1, 2008*):

334 (a) In all matters wherein a formal petition, application, request or
335 appeal must be submitted to a zoning commission, planning and
336 zoning commission or zoning board of appeals under this chapter, a
337 planning commission under chapter 126 or an inland wetlands agency

338 under chapter 440 or an aquifer protection agency under chapter 446i
339 and a hearing is required or otherwise held on such petition,
340 application, request or appeal, such hearing shall commence within
341 sixty-five days after receipt of such petition, application, request or
342 appeal and shall be completed within thirty-five days after such
343 hearing commences, unless a shorter period of time is required under
344 this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the
345 hearing shall be published in a newspaper having a general circulation
346 in such municipality where the land that is the subject of the hearing is
347 located at least twice, at intervals of not less than two days, the first not
348 more than fifteen days or less than ten days and the last not less than
349 two days before the date set for the hearing. In the case of an
350 application for a project of regional significance, as defined in section 8
351 of this act, notice shall be given not less than thirty days before such
352 hearing to the regional planning organization, as defined in section 4-
353 124i of the general statutes, as amended by this act, operating within
354 the region that the municipality is located and to any other regional
355 planning organization, as defined in section 4-124i, as amended by this
356 act, where there is a municipality contiguous to the municipality in
357 which the project is located. In addition to such notice, such
358 commission, board or agency may, by regulation, provide for
359 additional notice. Such regulations shall include provisions that the
360 notice be mailed to persons who own land that is adjacent to the land
361 that is the subject of the hearing or be provided by posting a sign on
362 the land that is the subject of the hearing, or both. For purposes of such
363 additional notice, (1) proof of mailing shall be evidenced by a
364 certificate of mailing, and (2) the person who owns land shall be the
365 owner indicated on the property tax map or on the last-completed
366 grand list as of the date such notice is mailed. All applications and
367 maps and documents relating thereto shall be open for public
368 inspection. At such hearing, any person or persons may appear and be
369 heard and may be represented by agent or by attorney. All decisions
370 on such matters shall be rendered not later than sixty-five days after
371 completion of such hearing, unless a shorter period of time is required

372 under this chapter, chapter 126, chapter 440 or chapter 446i. The
373 petitioner or applicant may consent to one or more extensions of any
374 period specified in this subsection, provided the total extension of all
375 such periods shall not be for longer than sixty-five days, or may
376 withdraw such petition, application, request or appeal.

377 Sec. 10. Section 16a-4a of the general statutes is repealed and the
378 following is substituted in lieu thereof (*Effective October 1, 2008*):

379 The Office of Policy and Management shall:

380 (1) Formulate and prepare state-wide or interregional plans for the
381 physical, social and economic development of the state. Such plans
382 may be prepared jointly or in consultation with other state, interstate,
383 federal, regional or local agencies. Such plans may include, but need
384 not be limited to, (A) demographic projections, (B) economic
385 projections, (C) land use and water considerations, (D) transportation
386 requirements, (E) environmental considerations, (F) energy capabilities
387 and requirements, (G) public facilities, (H) labor needs and skills, (I)
388 educational objectives, (J) housing needs and (K) health needs;

389 (2) Receive for review, information and recommendations, plans
390 proposed by any state agency acting alone or jointly which has among
391 its duties planning responsibilities relating to those considerations set
392 forth in subdivision (1) of this section or similar subjects;

393 (3) Coordinate regional and state planning activities and accomplish
394 such planning review activities as may be necessary;

395 (4) Designate or redesignate logical planning regions within the
396 state and promote and assist in the promotion and continuation of
397 regional planning agencies under chapter 127. Such planning regions
398 shall be redesignated in accordance with section 11 of this act;

399 (5) Provide for technical aid and the administration of financial
400 assistance to regional planning agencies established under chapter 127
401 or any regional council of elected officials in any region without a

402 regional planning agency or any regional council of governments
403 organized under sections 4-124i to 4-124p, inclusive, as amended by
404 this act, under such terms and conditions as may be agreed upon by
405 the secretary;

406 (6) Accept from any source funds, revenue or other consideration
407 available to this state for interstate, state, regional, interregional or area
408 planning activities or projects and provide for the administration of
409 such funds, revenues or other consideration;

410 (7) Make available to the public, for a reasonable fee, all reports,
411 testing results and other material developed or procured as a result of
412 activities authorized by this section, section 16a-14 of the 2008
413 supplement to the general statutes and section 16a-14b; and

414 (8) Provide technical assistance to municipalities that want to
415 aggregate electric generation services.

416 Sec. 11. (NEW) (*Effective October 1, 2008*) (a) On or before October 1,
417 2009, and at least every twenty years thereafter, the Secretary of the
418 Office of Policy and Management shall conduct an analysis of the
419 boundaries of logical planning regions designated or redesignated
420 under section 16a-4a of the general statutes, as amended by this act. As
421 part of such analysis, the secretary shall develop criteria to evaluate the
422 impact of urban centers on neighboring towns. Such criteria shall
423 include, but not be limited to, criteria to (1) evaluate trends in
424 economic development and the environment, including trends in
425 housing patterns, employment levels, commuting patterns for the most
426 common job classifications in the state, traffic patterns on major
427 roadways, and local perceptions of social and historic ties; and (2)
428 establish a minimum size for logical planning areas that takes into
429 consideration the number of municipalities, total population and the
430 total square mileage.

431 (b) Any revision to the boundaries based on the analysis completed
432 on or before October 1, 2009, shall be effective July 1, 2010. Any

433 subsequent revision shall be effective on July first after the revision.

434 Sec. 12. Section 16a-27 of the general statutes is repealed and the
435 following is substituted in lieu thereof (*Effective October 1, 2008*):

436 (a) The secretary, after consultation with all appropriate state,
437 regional and local agencies and other appropriate persons, shall prior
438 to March 1, 2009, complete a revision of the existing plan and enlarge it
439 to include, but not be limited to, policies relating to transportation,
440 energy and air. Any revision made after May 15, 1991, shall identify
441 the major transportation proposals, including proposals for mass
442 transit, contained in the master transportation plan prepared pursuant
443 to section 13b-15. Any revision made after July 1, 1995, shall take into
444 consideration the conservation and development of greenways that
445 have been designated by municipalities and shall recommend that
446 state agencies coordinate their efforts to support the development of a
447 state-wide greenways system. The Commissioner of Environmental
448 Protection shall identify state-owned land for inclusion in the plan as
449 potential components of a state greenways system.

450 (b) Any revision made after August 20, 2003, shall take into account
451 (1) economic and community development needs and patterns of
452 commerce, and (2) linkages of affordable housing objectives and land
453 use objectives with transportation systems.

454 (c) Any revision made after March 1, 2006, shall (1) take into
455 consideration risks associated with natural hazards, including, but not
456 limited to, flooding, high winds and wildfires; (2) identify the potential
457 impacts of natural hazards on infrastructure and property; and (3)
458 make recommendations for the siting of future infrastructure and
459 property development to minimize the use of areas prone to natural
460 hazards, including, but not limited to, flooding, high winds and
461 wildfires.

462 (d) Any revision made after July 1, 2005, shall describe the progress
463 towards achievement of the goals and objectives established in the

464 previously adopted state plan of conservation and development and
 465 shall identify (1) areas where it is prudent and feasible (A) to have
 466 compact, transit accessible, pedestrian-oriented mixed-use
 467 development patterns and land reuse, and (B) to promote such
 468 development patterns and land reuse, (2) priority funding areas
 469 designated under section 16a-35c, and (3) corridor management areas
 470 on either side of a limited access highway or a rail line. In designating
 471 corridor management areas, the secretary shall make
 472 recommendations that (A) promote land use and transportation
 473 options to reduce the growth of traffic congestion; (B) connect
 474 infrastructure and other development decisions; (C) promote
 475 development that minimizes the cost of new infrastructure facilities
 476 and maximizes the use of existing infrastructure facilities; and (D)
 477 increase intermunicipal and regional cooperation.

478 (e) Any revision made after October 1, 2008, shall (1) for each policy
 479 recommended (A) assign a priority; (B) estimate funding for
 480 implementation and identify potential funding sources; (C) identify
 481 each entity responsible for implementation; and (D) establish a
 482 schedule for implementation; and (2) for each growth management
 483 principle, determine three benchmarks to measure progress in
 484 implementation of the principles, one of which shall be a financial
 485 benchmark.

486 ~~[(e)]~~ (f) Thereafter on or before March first in each revision year the
 487 secretary shall complete a revision of the plan of conservation and
 488 development.

489 Sec. 13. Section 4-124s of the 2008 supplement to the general statutes
 490 is repealed and the following is substituted in lieu thereof (*Effective*
 491 *October 1, 2008*):

492 (a) For purposes of this section, (1) "regional council of
 493 governments" means any such council organized under the provisions
 494 of sections 4-124i to 4-124p, inclusive, (2) "regional council of elected
 495 officials" means any such council organized under the provisions of

496 sections 4-124c to 4-124h, inclusive, and (3) "regional planning agency"
497 means an agency defined in chapter 127.

498 (b) There is established a regional performance incentive program
499 that shall be administered by the Secretary of the Office of Policy and
500 Management. On or before December 1, 2007, and annually thereafter,
501 any regional planning agency, any regional council of elected officials,
502 any regional council of governments, or any combination thereof, may
503 submit to said secretary a proposal for joint provision of a service or
504 services that are currently provided by municipalities within the
505 region of such agency or council or contiguous thereto, but not
506 currently provided on a regional basis. The proposal shall include such
507 service or services which may increase the participating municipalities'
508 purchasing power or provide a cost savings initiative resulting in a
509 decrease in participating municipalities' expenses and lower property
510 taxes. A copy of said proposal shall be sent to the legislators
511 representing said participating municipalities.

512 (c) The proposal shall (1) describe at least one service currently
513 provided by a municipality or municipalities within the region of the
514 agency or council or contiguous thereto, but not currently provided on
515 a regional basis, (2) provide a description of how such service would
516 be delivered on a regional basis, including consideration of what entity
517 would be responsible for such service, and how the population would
518 continue to be served, (3) describe the amount and the manner in
519 which the service will achieve economies of scale and the amount and
520 manner in which each municipality will reduce its mill rate as a result
521 of the savings realized by changing the municipal service to a regional
522 service, (4) include a cost benefit analysis for the provision of such
523 service by the municipality and by the council or agency, (5) set out a
524 plan of implementation for such regional service, (6) estimate the
525 savings that will be realized by each municipality, and (7) any other
526 items requested by said secretary. Each proposal shall have attached to
527 it (A) a resolution by the legislative body of each municipality affected
528 by the proposal endorsing such proposal; and (B) certification by each

529 such municipality that there are no legal obstacles to provision of
530 services in the manner specified in the proposal including, but not
531 limited to, binding arbitration. The proposal shall be submitted on a
532 form prescribed by said secretary. Said secretary shall review all such
533 proposals, and award grants to those that the secretary determines best
534 meet the requirements of this subsection. The secretary shall adopt
535 regulations in accordance with the provisions of chapter 54
536 establishing criteria for review of such proposals. In making such
537 grants the secretary shall give priority to proposals presented by
538 regional [councils of government] planning organizations, as defined
539 in section 4-124i, as amended by this act, which include participation
540 of [at least fifty per cent] all of the member municipalities of such
541 [council] organization and that implement regional projects or
542 programs.

543 (d) Not later than February 1, 2008, and annually thereafter, the
544 secretary shall submit to the Governor and the joint standing
545 committee of the General Assembly having cognizance of matters
546 relating to finance, revenue and bonding a report on the grants
547 provided pursuant to this section. Each such report shall include
548 information on the amount of each grant, and the potential of each
549 grant for leveraging other public and private investments.

550 Sec. 14. Section 8-35a of the 2008 supplement to the general statutes
551 is repealed and the following is substituted in lieu thereof (*Effective*
552 *October 1, 2008*):

553 (a) At least once every ten years, each regional planning agency
554 shall make a plan of conservation and development for its area of
555 operation, showing its recommendations for the general use of the area
556 including land use, housing, principal highways and freeways,
557 bridges, airports, parks, playgrounds, recreational areas, schools,
558 public institutions, public utilities, agriculture and such other matters
559 as, in the opinion of the agency, will be beneficial to the area. Any
560 regional plan so developed shall be based on studies of physical,

561 social, economic and governmental conditions and trends and shall be
562 designed to promote with the greatest efficiency and economy the
563 coordinated development of its area of operation and the general
564 welfare and prosperity of its people. Such plan may encourage energy-
565 efficient patterns of development, the use of solar and other renewable
566 forms of energy, and energy conservation. Such plan shall be designed
567 to promote abatement of the pollution of the waters and air of the
568 region. The regional plan shall identify areas where it is feasible and
569 prudent (1) to have compact, transit accessible, pedestrian-oriented
570 mixed use development patterns and land reuse, and (2) to promote
571 such development patterns and land reuse and shall note any
572 inconsistencies with the following growth management principles: (A)
573 Redevelopment and revitalization of regional centers and areas of
574 mixed land uses with existing or planned physical infrastructure; (B)
575 expansion of housing opportunities and design choices to
576 accommodate a variety of household types and needs; (C)
577 concentration of development around transportation nodes and along
578 major transportation corridors to support the viability of
579 transportation options and land reuse; (D) conservation and
580 restoration of the natural environment, cultural and historical
581 resources and traditional rural lands; (E) protection of environmental
582 assets critical to public health and safety; and (F) integration of
583 planning across all levels of government to address issues on a local,
584 regional and state-wide basis. The plan of each region contiguous to
585 Long Island Sound shall be designed to reduce hypoxia, pathogens,
586 toxic contaminants and floatable debris in Long Island Sound.

587 (b) Before adopting the regional plan of conservation and
588 development or any part thereof or amendment thereto the agency
589 shall hold at least one public hearing thereon, notice of the time, place
590 and subject of which shall be given in writing to the chief executive
591 officer and planning commission, where one exists, of each member
592 town, city or borough. Notice of the time, place and subject of such
593 hearing shall be published once in a newspaper having a substantial
594 circulation in the region. Such notices shall be given not more than

595 twenty days nor less than ten days before such hearing. At least sixty-
596 five days before the public hearing the regional planning agency shall
597 post the plan on the Internet web site of the agency, if any, and submit
598 the plan to the Secretary of the Office of Policy and Management for
599 findings in the form of comments and recommendations. [Such
600 findings shall] The secretary shall establish, by regulations adopted in
601 accordance with the provisions of chapter 54, criteria for such findings
602 which shall include procedures for a uniform review of [the plan]
603 regional plans of conservation and development to determine if [the] a
604 proposed regional plan of conservation and development is not
605 inconsistent with the state plan of conservation and development and
606 the state economic strategic plan. [Such notices shall be given not more
607 than twenty days nor less than ten days before such hearing.] The
608 regional planning agency shall note on the record any inconsistency
609 with the state plan of conservation and development and the reasons
610 for such inconsistency. Adoption of the plan or part thereof or
611 amendment thereto shall be made by the affirmative vote of not less
612 than a majority of the representatives on the agency. The plan shall be
613 posted on the Internet web site of the agency, if any, and a copy of the
614 plan or of any amendments thereto, signed by the chairman of the
615 agency, shall be transmitted to the chief executive officers, the town,
616 city or borough clerks, as the case may be, and to planning
617 commissions, if any, in member towns, cities or boroughs, and to the
618 Secretary of the Office of Policy and Management, or his designee. The
619 regional planning agency shall notify the Secretary of the Office of
620 Policy and Management of any inconsistency with the state plan of
621 conservation and development and the reasons therefor.

622 (c) The regional planning agency shall revise the plan of
623 conservation and development not more than three years after July 1,
624 2005.

625 (d) The regional planning agency shall assist municipalities within
626 its region and state agencies and may assist other public and private
627 agencies in developing and carrying out any regional plan or plans of

628 such regional planning agency. The regional planning agency may
629 provide administrative, management, technical or planning assistance
630 to municipalities within its region and other public agencies under
631 such terms as it may determine, provided, prior to entering into an
632 agreement for assistance to any municipality or other public agency,
633 the regional planning agency shall have adopted a policy governing
634 such assistance. The regional planning agency may be compensated by
635 the municipality or other public agency with which an agreement for
636 assistance has been made for all or part of the cost of such assistance.

637 Sec. 15. Section 8-389 of the general statutes is repealed and the
638 following is substituted in lieu thereof (*Effective October 1, 2008*):

639 Upon the incorporation of a successfully negotiated regional fair
640 housing compact into a regional plan of conservation and
641 development by a regional planning agency pursuant to section 8-386,
642 the Commissioner of Economic and Community Development and the
643 Connecticut Housing Authority may give priority to any application
644 for financial or technical assistance made by a municipality, housing
645 authority or eligible developer as defined in subsection (u) of section 8-
646 39 in connection with any project located in a municipality which has
647 approved the regional fair housing compact pursuant to section 8-386.

648 Sec. 16. Section 25-206 of the general statutes is repealed and the
649 following is substituted in lieu thereof (*October 1, 2008*):

650 (a) Within thirty days of designation of a river corridor, the river
651 committee shall file the approved map and approved river corridor
652 protection plan in the office of the town clerk of each member
653 municipality.

654 (b) Within one year of designation of a river corridor, each member
655 municipality shall amend its zoning, subdivision, site plan and
656 wetlands regulations, its municipal plan of conservation and
657 development and any other applicable laws or plans in accordance
658 with the recommendations of the approved river corridor protection

659 plan. The river committee shall assist member municipalities in
660 adopting any such amendments, and on behalf of a member
661 municipality may petition the commissioner for an extension of the
662 one-year deadline specified in this subsection for amending applicable
663 laws. Before adopting any such amendment, a member municipality
664 shall submit the proposed amendment to the commissioner, and such
665 proposed amendment shall not be adopted unless the commissioner
666 finds in writing that it is consistent with the approved river corridor
667 protection plan.

668 (c) After a member municipality has completed amending
669 applicable laws and plans pursuant to subsection (b) of this section, no
670 zoning variance or other exception to any such amended law shall be
671 granted unless the zoning board of appeals for such municipality, in
672 consultation with the river committee, finds in writing that it is
673 compatible with the approved river corridor protection plan.

674 (d) (1) Every major state plan other than the state plan for
675 conservation and development, to the extent that it affects a designated
676 river corridor, shall be consistent with the approved river corridor
677 protection plan for such corridor, and any state plan which is
678 inconsistent with such approved river corridor protection plan shall be
679 modified accordingly. Such modifications shall be made in
680 consultation with the commissioner at the next scheduled revision of
681 such plan.

682 (2) If the commissioner finds that the state plan for conservation and
683 development is inconsistent with an approved river corridor
684 protection plan for a designated river corridor, he shall apply to the
685 secretary for a revision pursuant to section 16a-32.

686 (3) Every regional plan of conservation and development adopted
687 pursuant to section 8-35a of the 2008 supplement to the general
688 statutes, as amended by this act, to the extent that it affects a
689 designated river corridor, shall be consistent with the approved river
690 corridor protection plan for such corridor and any regional plan of

691 conservation and development which is inconsistent with such
692 approved river corridor protection plan shall be modified accordingly.
693 Such modifications shall be made in consultation with the
694 commissioner.

695 (4) Every municipal plan of conservation and development adopted
696 pursuant to section 8-23 of the 2008 supplement to the general statutes,
697 as amended by this act, to the extent that it affects a designated river
698 corridor, shall be consistent with the approved river corridor
699 protection plan for such corridor and any municipal plan of
700 conservation and development which is inconsistent with such
701 approved river corridor protection plan shall be modified accordingly.
702 Such modifications shall be made in consultation with the
703 commissioner.

704 (5) The commissioner may notify any applicable federal agency of
705 the designation of a river corridor and may take any other appropriate
706 action to assure consideration of such designation in federal programs
707 or activities.

708 (e) (1) Neither the commissioner nor the Connecticut Siting Council
709 shall issue a permit or other approval for any activity within a river
710 corridor designated under section 25-205 unless the commissioner or
711 the council, as the case may be, determines that such activity would
712 not adversely affect any of the resources protected pursuant to the plan
713 for such corridor.

714 (2) A member municipality may submit written testimony to the
715 commissioner and may appear by right as a party to any hearing
716 before the commissioner concerning any permit or other license to be
717 issued by the commissioner for an activity proposed within a
718 designated river corridor and may appeal any decision of the
719 commissioner concerning such permit or other license to the superior
720 court in accordance with the provisions of section 4-183.

721 Sec. 17. Section 25-236 of the general statutes is repealed and the

722 following is substituted in lieu thereof (*Effective October 1, 2008*):

723 (a) Within thirty days of the commissioner's approval of a map and
724 river corridor management plan pursuant to section 25-235, the river
725 commission shall file such map and plan in the office of the town clerk
726 in each member municipality.

727 (b) Within one year of the commissioner's approval of a map and
728 river corridor management plan pursuant to section 25-235, each
729 member municipality shall amend its zoning, subdivision, site plan,
730 floodplain and wetlands regulations, its municipal plan of
731 development and any other applicable laws or plans in accordance
732 with the recommendations of the approved river corridor management
733 plan. The river commission shall assist member municipalities in
734 adopting any such amendments and, on behalf of a member
735 municipality, may petition the commissioner for an extension of the
736 one-year deadline specified in this subsection for amending applicable
737 laws or plans. Before adopting any such amendment, the municipality
738 shall submit the proposed amendment to the commissioner and such
739 proposed amendment shall not be adopted unless the commissioner
740 finds in writing, within ninety days, that it is consistent with the
741 approved river corridor management plan.

742 (c) (1) After a member municipality has completed amending
743 applicable laws and plans pursuant to subsection (b) of this section, no
744 zoning variance or other exception to any such amended law or plan
745 shall be granted if such variance or other exception affects a river
746 corridor with respect to which there exists an approved river corridor
747 management plan unless the applicant demonstrates that such
748 variance or other exception satisfies any applicable legal requirements
749 and the zoning board of appeals for such municipality, or the agency
750 with jurisdiction over the application at issue, in consultation with the
751 river commission, finds in writing that such variance or exception is
752 compatible with the approved river corridor management plan or the
753 zoning board of appeals or the agency with jurisdiction over the

754 application has determined that the applicant has presented sufficient
755 evidence to prove that the property's exceptional difficulty or unusual
756 hardship warrants such variance or exception.

757 (2) No portion of any applicable municipal law or plan affecting a
758 river corridor with respect to which a river corridor management plan
759 has been approved shall be revised unless such municipality has
760 allowed the river commission to comment on such proposed revision
761 and has considered any such comments.

762 (d) If the commissioner determines that any member municipality
763 has failed or is failing to comply with the requirements of subsection
764 (a) or (b) of this section or if he determines that the plan cannot
765 effectively be implemented as a result of a municipality withdrawing
766 from the commission, he and the Connecticut Siting Council shall not
767 be subject to the provisions of subsections (f) and (g) of this section.

768 (e) (1) Every major state plan, other than the state plan for
769 conservation and development, to the extent that such major state plan
770 affects any river corridor for which the commissioner has approved a
771 river corridor management plan, shall be consistent with such
772 management plan. Any major state plan, other than the state plan for
773 conservation and development, which is inconsistent with a river
774 corridor management plan shall be modified accordingly. Such
775 modifications shall be made in consultation with the commissioner at
776 the next scheduled revision of such plan.

777 (2) If all the member municipalities of a river commission have
778 amended their applicable laws and plans pursuant to subsection (b) of
779 this section and if the commissioner finds that the state plan for
780 conservation and development is inconsistent with the subject river
781 corridor management plan, he shall apply to the secretary for a
782 revision pursuant to section 16a-32.

783 (3) Every regional plan of conservation and development adopted
784 pursuant to section 8-35a of the 2008 supplement to the general

785 statutes, as amended by this act, to the extent that it affects any river
786 corridor for which the commissioner has approved a river corridor
787 management plan, shall be consistent with such management plan.
788 Any regional plan of conservation and development which is
789 inconsistent with a river corridor management plan shall be modified
790 accordingly. Such modifications shall be made in consultation with the
791 commissioner.

792 (4) Every municipal plan of development adopted pursuant to
793 section 8-23 of the 2008 supplement to the general statutes, as amended
794 by this act, to the extent that it affects any river corridor for which the
795 commissioner has approved a river corridor management plan, shall
796 be consistent with such management plan. Any municipal plan of
797 development which is inconsistent with a river corridor management
798 plan shall be modified accordingly. Such modifications shall be made
799 in consultation with the commissioner.

800 (5) The commissioner may notify any applicable federal agency of
801 his approval of a river corridor management plan and may take any
802 other appropriate action to assure consideration of such plan in federal
803 programs or activities.

804 (f) (1) For the purpose of protecting or preserving river corridor
805 resources, the commissioner may acquire real property or any interest
806 therein within a river corridor for which he has approved a river
807 corridor management plan. Such acquisition may be by purchase at
808 fair market value, gift or devise. The commissioner may accept any gift
809 or bequest of money or other personal property to be used to acquire
810 such real property or interest therein, or to meet expenses involved in
811 maintaining such real property. Such funds shall be held by the State
812 Treasurer to be used and expended under the direction of the
813 commissioner.

814 (2) For the purpose of protecting or preserving river corridor
815 resources, and subject to any lawful restrictions on acquisition of lands
816 acquired with state funds, a municipality may acquire real property or

817 any interest therein within a river corridor for which such commission
818 has adopted a river corridor management plan. Such acquisition may
819 be by purchase at fair market value, gift or devise. Such municipality
820 may accept any gift or bequest of money or other personal property to
821 be used to acquire such real property or interest therein, or to meet
822 expenses involved in maintaining such real property.

823 (g) (1) The commissioner shall coordinate the activities, including
824 the granting of permits and other approvals, of all regulatory
825 programs under his jurisdiction to assure that the administration of
826 such programs is consistent with every approved river corridor
827 management plan. Neither the commissioner nor the Connecticut
828 Siting Council shall issue a permit or other approval for any activity
829 which may affect a river corridor for which the commissioner has
830 approved a river corridor management plan under section 25-235
831 unless the commissioner determines that such activity would not
832 adversely affect any of the resources protected under such plan.

833 (2) A member municipality may submit written testimony to the
834 commissioner and may appear by right as a party to any hearing
835 before the commissioner concerning any permit or other approval to
836 be issued by the commissioner for an activity proposed within an
837 approved river corridor, and may appeal any decision of the
838 commissioner concerning such permit or other approval to the
839 Superior Court in accordance with the provisions of section 4-183.

840 Sec. 18. Section 8-23 of the 2008 supplement to the general statutes is
841 repealed and the following is substituted in lieu thereof (*Effective*
842 *October 1, 2008*):

843 (a) (1) At least once every ten years, the commission shall prepare or
844 amend and shall adopt a plan of conservation and development for the
845 municipality. Following adoption, the commission shall regularly
846 review and maintain such plan. The commission may adopt such
847 geographical, functional or other amendments to the plan or parts of
848 the plan, in accordance with the provisions of this section, as it deems

849 necessary. The commission may, at any time, prepare, amend and
850 adopt plans for the redevelopment and improvement of districts or
851 neighborhoods which, in its judgment, contain special problems or
852 opportunities or show a trend toward lower land values.

853 (2) If a plan is not amended decennially, the chief elected official of
854 the municipality shall submit a letter to the Secretary of the Office of
855 Policy and Management and the Commissioners of Transportation,
856 Environmental Protection and Economic and Community
857 Development that explains why such plan was not amended. Until the
858 plan is amended in accordance with this subsection, a copy of such
859 letter shall be included in each application by the municipality for
860 funding for the conservation or development of real property
861 submitted to said secretary or commissioners.

862 (b) In the preparation of such plan, the commission may appoint
863 one or more special committees to develop and make
864 recommendations for the plan. The membership of any special
865 committee may include: Residents of the municipality and
866 representatives of local boards dealing with zoning, inland wetlands,
867 conservation, recreation, education, public works, finance,
868 redevelopment, general government and other municipal functions. In
869 performing its duties under this section, the commission or any special
870 committee may accept information from any source or solicit input
871 from any organization or individual. The commission or any special
872 committee may hold public informational meetings or organize other
873 activities to inform residents about the process of preparing the plan.

874 (c) In preparing such plan, the commission or any special committee
875 shall consider the following: (1) The community development action
876 plan of the municipality, if any, (2) the need for affordable housing, (3)
877 the need for protection of existing and potential public surface and
878 ground drinking water supplies, (4) the use of cluster development
879 and other development patterns to the extent consistent with soil
880 types, terrain and infrastructure capacity within the municipality, (5)

881 the state plan of conservation and development adopted pursuant to
882 chapter 297, (6) the regional plan of conservation and development
883 adopted pursuant to section 8-35a of the 2008 supplement to the
884 general statutes, as amended by this act, (7) physical, social, economic
885 and governmental conditions and trends, (8) the needs of the
886 municipality including, but not limited to, human resources,
887 education, health, housing, recreation, social services, public utilities,
888 public protection, transportation and circulation and cultural and
889 interpersonal communications, (9) the objectives of energy-efficient
890 patterns of development, the use of solar and other renewable forms of
891 energy and energy conservation, and (10) protection and preservation
892 of agriculture.

893 (d) (1) Such plan of conservation and development shall (A) be a
894 statement of policies, goals and standards for the physical and
895 economic development of the municipality, (B) provide for a system of
896 principal thoroughfares, parkways, bridges, streets, sidewalks,
897 multipurpose trails and other public ways as appropriate, (C) be
898 designed to promote, with the greatest efficiency and economy, the
899 coordinated development of the municipality and the general welfare
900 and prosperity of its people and identify areas where it is feasible and
901 prudent (i) to have compact, transit accessible, pedestrian-oriented
902 mixed use development patterns and land reuse, and (ii) to promote
903 such development patterns and land reuse, (D) recommend the most
904 desirable use of land within the municipality for residential,
905 recreational, commercial, industrial, conservation and other purposes
906 and include a map showing such proposed land uses, (E) recommend
907 the most desirable density of population in the several parts of the
908 municipality, (F) note any inconsistencies with the following growth
909 management principles: (i) Redevelopment and revitalization of
910 commercial centers and areas of mixed land uses with existing or
911 planned physical infrastructure; (ii) expansion of housing
912 opportunities and design choices to accommodate a variety of
913 household types and needs; (iii) concentration of development around
914 transportation nodes and along major transportation corridors to

915 support the viability of transportation options and land reuse; (iv)
916 conservation and restoration of the natural environment, cultural and
917 historical resources and existing farmlands; (v) protection of
918 environmental assets critical to public health and safety; and (vi)
919 integration of planning across all levels of government to address
920 issues on a local, regional and state-wide basis, (G) make provision for
921 the development of housing opportunities, including opportunities for
922 multifamily dwellings, consistent with soil types, terrain and
923 infrastructure capacity, for all residents of the municipality and the
924 planning region in which the municipality is located, as designated by
925 the Secretary of the Office of Policy and Management under section
926 16a-4a, (H) promote housing choice and economic diversity in
927 housing, including housing for both low and moderate income
928 households, and encourage the development of housing which will
929 meet the housing needs identified in the housing plan prepared
930 pursuant to section 8-37t and in the housing component and the other
931 components of the state plan of conservation and development
932 prepared pursuant to chapter 297. In preparing such plan the
933 commission shall consider focusing development and revitalization in
934 areas with existing or planned physical infrastructure.

935 (2) For any municipality that is contiguous to Long Island Sound,
936 such plan shall be (A) consistent with the municipal coastal program
937 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
938 reasonable consideration for restoration and protection of the
939 ecosystem and habitat of Long Island Sound, and (C) designed to
940 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
941 Long Island Sound.

942 (e) Such plan may show the commission's and any special
943 committee's recommendation for (1) conservation and preservation of
944 traprock and other ridgelines, (2) airports, parks, playgrounds and
945 other public grounds, (3) the general location, relocation and
946 improvement of schools and other public buildings, (4) the general
947 location and extent of public utilities and terminals, whether publicly

948 or privately owned, for water, sewerage, light, power, transit and other
949 purposes, (5) the extent and location of public housing projects, (6)
950 programs for the implementation of the plan, including (A) a schedule,
951 (B) a budget for public capital projects, (C) a program for enactment
952 and enforcement of zoning and subdivision controls, building and
953 housing codes and safety regulations, (D) plans for implementation of
954 affordable housing, (E) plans for open space acquisition and
955 greenways protection and development, and (F) plans for corridor
956 management areas along limited access highways or rail lines,
957 designated under section 16a-27, (7) proposed priority funding areas,
958 and (8) any other recommendations as will, in the commission's or any
959 special committee's judgment, be beneficial to the municipality. The
960 plan may include any necessary and related maps, explanatory
961 material, photographs, charts or other pertinent data and information
962 relative to the past, present and future trends of the municipality.

963 (f) (1) A plan of conservation and development or any part thereof
964 or amendment thereto prepared by the commission or any special
965 committee shall be reviewed, and may be amended, by the
966 commission prior to scheduling at least one public hearing on
967 adoption.

968 (2) At least sixty-five days prior to the public hearing on adoption,
969 the commission shall submit a copy of such plan or part thereof or
970 amendment thereto for review and comment to the legislative body or,
971 in the case of a municipality for which the legislative body of the
972 municipality is a town meeting or representative town meeting, to the
973 board of selectmen. The legislative body or board of selectmen, as the
974 case may be, may hold one or more public hearings on the plan and
975 shall endorse or reject such entire plan or part thereof or amendment
976 and may submit comments and recommended changes to the
977 commission. The commission may render a decision on the plan
978 without the report of such body or board.

979 (3) At least thirty-five days prior to the public hearing on adoption,

980 the commission shall post the plan on the Internet web site of the
981 municipality, if any.

982 (4) At least sixty-five days prior to the public hearing on adoption,
983 the commission shall submit a copy of such plan or part thereof or
984 amendment thereto to the regional planning agency for review and
985 comment. The regional planning agency shall submit an advisory
986 report along with its comments to the commission at or before the
987 hearing. Such comments shall include a finding on the consistency of
988 the plan with (A) the regional plan of conservation and development,
989 adopted under section 8-35a of the 2008 supplement to the general
990 statutes, as amended by this act, (B) the state plan of conservation and
991 development, adopted pursuant to chapter 297, and (C) the plans of
992 conservation and development of other municipalities in the area of
993 operation of the regional planning agency. The commission may
994 render a decision on the plan without the report of the regional
995 planning agency.

996 (5) At least thirty-five days prior to the public hearing on adoption,
997 the commission shall file in the office of the town clerk a copy of such
998 plan or part thereof or amendment thereto but, in the case of a district
999 commission, such commission shall file such information in the offices
1000 of both the district clerk and the town clerk.

1001 (6) The commission shall cause to be published in a newspaper
1002 having a general circulation in the municipality, at least twice at
1003 intervals of not less than two days, the first not more than fifteen days,
1004 or less than ten days, and the last not less than two days prior to the
1005 date of each such hearing, notice of the time and place of any such
1006 public hearing. Such notice shall make reference to the filing of such
1007 draft plan in the office of the town clerk, or both the district clerk and
1008 the town clerk, as the case may be.

1009 (g) (1) After completion of the public hearing, the commission may
1010 revise the plan and may adopt the plan or any part thereof or
1011 amendment thereto by a single resolution or may, by successive

1012 resolutions, adopt parts of the plan and amendments thereto.

1013 (2) Any plan, section of a plan or recommendation in the plan that is
1014 not endorsed in the report of the legislative body or, in the case of a
1015 municipality for which the legislative body is a town meeting or
1016 representative town meeting, by the board of selectmen, of the
1017 municipality may only be adopted by the commission by a vote of not
1018 less than two-thirds of all the members of the commission.

1019 (3) Upon adoption by the commission, any plan or part thereof or
1020 amendment thereto shall become effective at a time established by the
1021 commission, provided notice thereof shall be published in a
1022 newspaper having a general circulation in the municipality prior to
1023 such effective date.

1024 (4) Not more than thirty days after adoption, any plan or part
1025 thereof or amendment thereto shall be posted on the Internet web site
1026 of the municipality, if any, and shall be filed in the office of the town
1027 clerk, except that, if it is a district plan or amendment, it shall be filed
1028 in the offices of both the district and town clerks.

1029 (5) Not more than sixty days after adoption of the plan, the
1030 commission shall submit a copy of the plan to the Secretary of the
1031 Office of Policy and Management and shall include with such copy a
1032 description of any inconsistency between the plan adopted by the
1033 commission and the state plan of conservation and development and
1034 the reasons therefor.

1035 (h) Any owner or tenant, or authorized agent of such owner or
1036 tenant, of real property or buildings thereon located in the
1037 municipality may submit a proposal to the commission requesting a
1038 change to the plan of conservation and development. Such proposal
1039 shall be submitted in writing and on a form prescribed by the
1040 commission. Notwithstanding the provisions of subsection (a) of
1041 section 8-7d of the 2008 supplement to the general statutes, as
1042 amended by this act, the commission shall review and may approve,

1043 modify and approve or reject the proposal in accordance with the
1044 provisions of subsection (f) of this section.

1045 Sec. 19. Section 8-23 of the 2008 supplement to the general statutes,
1046 as amended by section 3 of public act 07-239 and section 4 of public act
1047 07-5 of the June special session, is repealed and the following is
1048 substituted in lieu thereof (*Effective July 1, 2010*):

1049 (a) (1) At least once every ten years, the commission shall prepare or
1050 amend and shall adopt a plan of conservation and development for the
1051 municipality. Following adoption, the commission shall regularly
1052 review and maintain such plan. The commission may adopt such
1053 geographical, functional or other amendments to the plan or parts of
1054 the plan, in accordance with the provisions of this section, as it deems
1055 necessary. The commission may, at any time, prepare, amend and
1056 adopt plans for the redevelopment and improvement of districts or
1057 neighborhoods which, in its judgment, contain special problems or
1058 opportunities or show a trend toward lower land values.

1059 (2) If a plan is not amended decennially, the chief elected official of
1060 the municipality shall submit a letter to the Secretary of the Office of
1061 Policy and Management and the Commissioners of Transportation,
1062 Environmental Protection and Economic and Community
1063 Development that explains why such plan was not amended. A copy
1064 of such letter shall be included in each application by the municipality
1065 for discretionary state funding submitted to any state agency.

1066 (b) Until the plan is amended in accordance with this subsection the
1067 municipality shall be ineligible for discretionary state funding unless
1068 such prohibition is expressly waived by the secretary.

1069 (c) In the preparation of such plan, the commission may appoint one
1070 or more special committees to develop and make recommendations for
1071 the plan. The membership of any special committee may include:
1072 Residents of the municipality and representatives of local boards
1073 dealing with zoning, inland wetlands, conservation, recreation,

1074 education, public works, finance, redevelopment, general government
1075 and other municipal functions. In performing its duties under this
1076 section, the commission or any special committee may accept
1077 information from any source or solicit input from any organization or
1078 individual. The commission or any special committee may hold public
1079 informational meetings or organize other activities to inform residents
1080 about the process of preparing the plan.

1081 (d) In preparing such plan, the commission or any special
1082 committee shall consider the following: (1) The community
1083 development action plan of the municipality, if any, (2) the need for
1084 affordable housing, (3) the need for protection of existing and potential
1085 public surface and ground drinking water supplies, (4) the use of
1086 cluster development and other development patterns to the extent
1087 consistent with soil types, terrain and infrastructure capacity within
1088 the municipality, (5) the state plan of conservation and development
1089 adopted pursuant to chapter 297, (6) the regional plan of conservation
1090 and development adopted pursuant to section 8-35a of the 2008
1091 supplement to the general statutes, as amended by this act, (7)
1092 physical, social, economic and governmental conditions and trends, (8)
1093 the needs of the municipality including, but not limited to, human
1094 resources, education, health, housing, recreation, social services, public
1095 utilities, public protection, transportation and circulation and cultural
1096 and interpersonal communications, (9) the objectives of energy-
1097 efficient patterns of development, the use of solar and other renewable
1098 forms of energy and energy conservation, and (10) protection and
1099 preservation of agriculture.

1100 (e) (1) Such plan of conservation and development shall (A) be a
1101 statement of policies, goals and standards for the physical and
1102 economic development of the municipality, (B) provide for a system of
1103 principal thoroughfares, parkways, bridges, streets, sidewalks,
1104 multipurpose trails and other public ways as appropriate, (C) be
1105 designed to promote, with the greatest efficiency and economy, the
1106 coordinated development of the municipality and the general welfare

1107 and prosperity of its people and identify areas where it is feasible and
1108 prudent (i) to have compact, transit accessible, pedestrian-oriented
1109 mixed use development patterns and land reuse, and (ii) to promote
1110 such development patterns and land reuse, (D) recommend the most
1111 desirable use of land within the municipality for residential,
1112 recreational, commercial, industrial, conservation and other purposes
1113 and include a map showing such proposed land uses, (E) recommend
1114 the most desirable density of population in the several parts of the
1115 municipality, (F) note any inconsistencies with the following growth
1116 management principles: (i) Redevelopment and revitalization of
1117 commercial centers and areas of mixed land uses with existing or
1118 planned physical infrastructure; (ii) expansion of housing
1119 opportunities and design choices to accommodate a variety of
1120 household types and needs; (iii) concentration of development around
1121 transportation nodes and along major transportation corridors to
1122 support the viability of transportation options and land reuse; (iv)
1123 conservation and restoration of the natural environment, cultural and
1124 historical resources and existing farmlands; (v) protection of
1125 environmental assets critical to public health and safety; and (vi)
1126 integration of planning across all levels of government to address
1127 issues on a local, regional and state-wide basis, (G) make provision for
1128 the development of housing opportunities, including opportunities for
1129 multifamily dwellings, consistent with soil types, terrain and
1130 infrastructure capacity, for all residents of the municipality and the
1131 planning region in which the municipality is located, as designated by
1132 the Secretary of the Office of Policy and Management under section
1133 16a-4a, (H) promote housing choice and economic diversity in
1134 housing, including housing for both low and moderate income
1135 households, and encourage the development of housing which will
1136 meet the housing needs identified in the housing plan prepared
1137 pursuant to section 8-37t and in the housing component and the other
1138 components of the state plan of conservation and development
1139 prepared pursuant to chapter 297. In preparing such plan the
1140 commission shall consider focusing development and revitalization in

1141 areas with existing or planned physical infrastructure.

1142 (2) For any municipality that is contiguous to Long Island Sound,
1143 such plan shall be (A) consistent with the municipal coastal program
1144 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
1145 reasonable consideration for restoration and protection of the
1146 ecosystem and habitat of Long Island Sound, and (C) designed to
1147 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
1148 Long Island Sound.

1149 (f) Such plan may show the commission's and any special
1150 committee's recommendation for (1) conservation and preservation of
1151 traprock and other ridgelines, (2) airports, parks, playgrounds and
1152 other public grounds, (3) the general location, relocation and
1153 improvement of schools and other public buildings, (4) the general
1154 location and extent of public utilities and terminals, whether publicly
1155 or privately owned, for water, sewerage, light, power, transit and other
1156 purposes, (5) the extent and location of public housing projects, (6)
1157 programs for the implementation of the plan, including (A) a schedule,
1158 (B) a budget for public capital projects, (C) a program for enactment
1159 and enforcement of zoning and subdivision controls, building and
1160 housing codes and safety regulations, (D) plans for implementation of
1161 affordable housing, (E) plans for open space acquisition and
1162 greenways protection and development, and (F) plans for corridor
1163 management areas along limited access highways or rail lines,
1164 designated under section 16a-27, (7) proposed priority funding areas,
1165 and (8) any other recommendations as will, in the commission's or any
1166 special committee's judgment, be beneficial to the municipality. The
1167 plan may include any necessary and related maps, explanatory
1168 material, photographs, charts or other pertinent data and information
1169 relative to the past, present and future trends of the municipality.

1170 (g) (1) A plan of conservation and development or any part thereof
1171 or amendment thereto prepared by the commission or any special
1172 committee shall be reviewed, and may be amended, by the

1173 commission prior to scheduling at least one public hearing on
1174 adoption.

1175 (2) At least sixty-five days prior to the public hearing on adoption,
1176 the commission shall submit a copy of such plan or part thereof or
1177 amendment thereto for review and comment to the legislative body or,
1178 in the case of a municipality for which the legislative body of the
1179 municipality is a town meeting or representative town meeting, to the
1180 board of selectmen. The legislative body or board of selectmen, as the
1181 case may be, may hold one or more public hearings on the plan and
1182 shall endorse or reject such entire plan or part thereof or amendment
1183 and may submit comments and recommended changes to the
1184 commission. The commission may render a decision on the plan
1185 without the report of such body or board.

1186 (3) At least thirty-five days prior to the public hearing on adoption,
1187 the commission shall post the plan on the Internet web site of the
1188 municipality, if any.

1189 (4) At least sixty-five days prior to the public hearing on adoption,
1190 the commission shall submit a copy of such plan or part thereof or
1191 amendment thereto to the regional planning agency for review and
1192 comment. The regional planning agency shall submit an advisory
1193 report along with its comments to the commission at or before the
1194 hearing. Such comments shall include a finding on the consistency of
1195 the plan with (A) the regional plan of conservation and development,
1196 adopted under section 8-35a of the 2008 supplement to the general
1197 statutes, as amended by this act, (B) the state plan of conservation and
1198 development, adopted pursuant to chapter 297, and (C) the plans of
1199 conservation and development of other municipalities in the area of
1200 operation of the regional planning agency. The commission may
1201 render a decision on the plan without the report of the regional
1202 planning agency.

1203 (5) At least thirty-five days prior to the public hearing on adoption,
1204 the commission shall file in the office of the town clerk a copy of such

1205 plan or part thereof or amendment thereto but, in the case of a district
1206 commission, such commission shall file such information in the offices
1207 of both the district clerk and the town clerk.

1208 (6) The commission shall cause to be published in a newspaper
1209 having a general circulation in the municipality, at least twice at
1210 intervals of not less than two days, the first not more than fifteen days,
1211 or less than ten days, and the last not less than two days prior to the
1212 date of each such hearing, notice of the time and place of any such
1213 public hearing. Such notice shall make reference to the filing of such
1214 draft plan in the office of the town clerk, or both the district clerk and
1215 the town clerk, as the case may be.

1216 (h) (1) After completion of the public hearing, the commission may
1217 revise the plan and may adopt the plan or any part thereof or
1218 amendment thereto by a single resolution or may, by successive
1219 resolutions, adopt parts of the plan and amendments thereto.

1220 (2) Any plan, section of a plan or recommendation in the plan that is
1221 not endorsed in the report of the legislative body or, in the case of a
1222 municipality for which the legislative body is a town meeting or
1223 representative town meeting, by the board of selectmen, of the
1224 municipality may only be adopted by the commission by a vote of not
1225 less than two-thirds of all the members of the commission.

1226 (3) Upon adoption by the commission, any plan or part thereof or
1227 amendment thereto shall become effective at a time established by the
1228 commission, provided notice thereof shall be published in a
1229 newspaper having a general circulation in the municipality prior to
1230 such effective date.

1231 (4) Not more than thirty days after adoption, any plan or part
1232 thereof or amendment thereto shall be posted on the Internet web site
1233 of the municipality, if any, and shall be filed in the office of the town
1234 clerk, except that, if it is a district plan or amendment, it shall be filed
1235 in the offices of both the district and town clerks.

1236 (5) Not more than sixty days after adoption of the plan, the
1237 commission shall submit a copy of the plan to the Secretary of the
1238 Office of Policy and Management and shall include with such copy a
1239 description of any inconsistency between the plan adopted by the
1240 commission and the state plan of conservation and development and
1241 the reasons therefor.

1242 (i) Any owner or tenant, or authorized agent of such owner or
1243 tenant, of real property or buildings thereon located in the
1244 municipality may submit a proposal to the commission requesting a
1245 change to the plan of conservation and development. Such proposal
1246 shall be submitted in writing and on a form prescribed by the
1247 commission. Notwithstanding the provisions of subsection (a) of
1248 section 8-7d of the 2008 supplement to the general statutes, as
1249 amended by this act, the commission shall review and may approve,
1250 modify and approve or reject the proposal in accordance with the
1251 provisions of subsection (g) of this section.

1252 Sec. 20. Section 25-236 of the general statutes is repealed and the
1253 following is substituted in lieu thereof (*Effective October 1, 2008*):

1254 (a) Within thirty days of the commissioner's approval of a map and
1255 river corridor management plan pursuant to section 25-235, the river
1256 commission shall file such map and plan in the office of the town clerk
1257 in each member municipality.

1258 (b) Within one year of the commissioner's approval of a map and
1259 river corridor management plan pursuant to section 25-235, each
1260 member municipality shall amend its zoning, subdivision, site plan,
1261 floodplain and wetlands regulations, its municipal plan of
1262 development and any other applicable laws or plans in accordance
1263 with the recommendations of the approved river corridor management
1264 plan. The river commission shall assist member municipalities in
1265 adopting any such amendments and, on behalf of a member
1266 municipality, may petition the commissioner for an extension of the
1267 one-year deadline specified in this subsection for amending applicable

1268 laws or plans. Before adopting any such amendment, the municipality
1269 shall submit the proposed amendment to the commissioner and such
1270 proposed amendment shall not be adopted unless the commissioner
1271 finds in writing, within ninety days, that it is consistent with the
1272 approved river corridor management plan.

1273 (c) (1) After a member municipality has completed amending
1274 applicable laws and plans pursuant to subsection (b) of this section, no
1275 zoning variance or other exception to any such amended law or plan
1276 shall be granted if such variance or other exception affects a river
1277 corridor with respect to which there exists an approved river corridor
1278 management plan unless the applicant demonstrates that such
1279 variance or other exception satisfies any applicable legal requirements
1280 and the zoning board of appeals for such municipality, or the agency
1281 with jurisdiction over the application at issue, in consultation with the
1282 river commission, finds in writing that such variance or exception is
1283 compatible with the approved river corridor management plan or the
1284 zoning board of appeals or the agency with jurisdiction over the
1285 application has determined that the applicant has presented sufficient
1286 evidence to prove that the property's exceptional difficulty or unusual
1287 hardship warrants such variance or exception.

1288 (2) No portion of any applicable municipal law or plan affecting a
1289 river corridor with respect to which a river corridor management plan
1290 has been approved shall be revised unless such municipality has
1291 allowed the river commission to comment on such proposed revision
1292 and has considered any such comments.

1293 (d) If the commissioner determines that any member municipality
1294 has failed or is failing to comply with the requirements of subsection
1295 (a) or (b) of this section or if he determines that the plan cannot
1296 effectively be implemented as a result of a municipality withdrawing
1297 from the commission, he and the Connecticut Siting Council shall not
1298 be subject to the provisions of subsections (f) and (g) of this section.

1299 (e) (1) Every major state plan, other than the state plan for

1300 conservation and development, to the extent that such major state plan
1301 affects any river corridor for which the commissioner has approved a
1302 river corridor management plan, shall be consistent with such
1303 management plan. Any major state plan, other than the state plan for
1304 conservation and development, which is inconsistent with a river
1305 corridor management plan shall be modified accordingly. Such
1306 modifications shall be made in consultation with the commissioner at
1307 the next scheduled revision of such plan.

1308 (2) If all the member municipalities of a river commission have
1309 amended their applicable laws and plans pursuant to subsection (b) of
1310 this section and if the commissioner finds that the state plan for
1311 conservation and development is inconsistent with the subject river
1312 corridor management plan, he shall apply to the secretary for a
1313 revision pursuant to section 16a-32.

1314 (3) Every regional plan of conservation and development adopted
1315 pursuant to section 8-35a of the 2008 supplement to the general
1316 statutes, as amended by this act, to the extent that it affects any river
1317 corridor for which the commissioner has approved a river corridor
1318 management plan, shall be consistent with such management plan.
1319 Any regional plan of conservation and development which is
1320 inconsistent with a river corridor management plan shall be modified
1321 accordingly. Such modifications shall be made in consultation with the
1322 commissioner.

1323 (4) Every municipal plan of development adopted pursuant to
1324 section 8-23 of the 2008 supplement to the general statutes, as amended
1325 by this act, to the extent that it affects any river corridor for which the
1326 commissioner has approved a river corridor management plan, shall
1327 be consistent with such management plan. Any municipal plan of
1328 development which is inconsistent with a river corridor management
1329 plan shall be modified accordingly. Such modifications shall be made
1330 in consultation with the commissioner.

1331 (5) The commissioner may notify any applicable federal agency of

1332 his approval of a river corridor management plan and may take any
1333 other appropriate action to assure consideration of such plan in federal
1334 programs or activities.

1335 (f) (1) For the purpose of protecting or preserving river corridor
1336 resources, the commissioner may acquire real property or any interest
1337 therein within a river corridor for which he has approved a river
1338 corridor management plan. Such acquisition may be by purchase at
1339 fair market value, gift or devise. The commissioner may accept any gift
1340 or bequest of money or other personal property to be used to acquire
1341 such real property or interest therein, or to meet expenses involved in
1342 maintaining such real property. Such funds shall be held by the State
1343 Treasurer to be used and expended under the direction of the
1344 commissioner.

1345 (2) For the purpose of protecting or preserving river corridor
1346 resources, and subject to any lawful restrictions on acquisition of lands
1347 acquired with state funds, a municipality may acquire real property or
1348 any interest therein within a river corridor for which such commission
1349 has adopted a river corridor management plan. Such acquisition may
1350 be by purchase at fair market value, gift or devise. Such municipality
1351 may accept any gift or bequest of money or other personal property to
1352 be used to acquire such real property or interest therein, or to meet
1353 expenses involved in maintaining such real property.

1354 (g) (1) The commissioner shall coordinate the activities, including
1355 the granting of permits and other approvals, of all regulatory
1356 programs under his jurisdiction to assure that the administration of
1357 such programs is consistent with every approved river corridor
1358 management plan. Neither the commissioner nor the Connecticut
1359 Siting Council shall issue a permit or other approval for any activity
1360 which may affect a river corridor for which the commissioner has
1361 approved a river corridor management plan under section 25-235
1362 unless the commissioner determines that such activity would not
1363 adversely affect any of the resources protected under such plan.

1364 (2) A member municipality may submit written testimony to the
1365 commissioner and may appear by right as a party to any hearing
1366 before the commissioner concerning any permit or other approval to
1367 be issued by the commissioner for an activity proposed within an
1368 approved river corridor, and may appeal any decision of the
1369 commissioner concerning such permit or other approval to the
1370 Superior Court in accordance with the provisions of section 4-183.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	4-124i
Sec. 2	<i>October 1, 2008</i>	23-102(b)
Sec. 3	<i>October 1, 2008</i>	25-204(d)
Sec. 4	<i>October 1, 2008</i>	25-204(f)
Sec. 5	<i>October 1, 2008</i>	25-234(d) to (f)
Sec. 6	<i>October 1, 2008</i>	4-124h
Sec. 7	<i>October 1, 2008</i>	8-33a
Sec. 8	<i>October 1, 2008</i>	New section
Sec. 9	<i>October 1, 2008</i>	8-7d(a)
Sec. 10	<i>October 1, 2008</i>	16a-4a
Sec. 11	<i>October 1, 2008</i>	New section
Sec. 12	<i>October 1, 2008</i>	16a-27
Sec. 13	<i>October 1, 2008</i>	4-124s
Sec. 14	<i>October 1, 2008</i>	8-35a
Sec. 15	<i>October 1, 2008</i>	8-389
Sec. 17	<i>October 1, 2008</i>	25-236
Sec. 18	<i>October 1, 2008</i>	8-23
Sec. 19	<i>July 1, 2010</i>	8-23
Sec. 20	<i>October 1, 2008</i>	25-236

Statement of Purpose:

To implement the recommendations of the Program Review and Investigations Committee concerning regional planning organizations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]